

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Texas

RECEIVED

DEC 21 2010

*CJG*

Eric Steward, et al.

Plaintiff

v.

Rick Perry, et al.

Defendant

Civil Action No. 5:10-cv-1025

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Governor Rick Perry  
Office of the Governor  
State Insurance Building  
1100 San Jacinto  
Austin, Texas 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Garth A. Corbett  
Advocacy Incorporated  
7800 Shoal Creek Blvd., #171-E  
Austin, TX 78757

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT William G. Putnicki

Date: 12/20/2010

*Gina Omaya*  
Signature of Clerk or Deputy Clerk



AFFIDAVIT  
ATTACHED

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. 5:10-cv-1025

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

**AFFIDAVIT  
ATTACHED**

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

## AFFIDAVIT OF SERVICE

Came to hand on the 21st day of December, 2010, at 2:00 o'clock pm.  
Cause No. 5:10-CV-1025

Executed at 1100 San Jacinto Blvd., Lobby Austin, Texas 78701  
within the County of Travis at 2:47 o'clock pm on the 21st day  
of December, 2010, by delivering to the within named:

GOVERNOR RICK PERRY, Office of the Governor,  
by delivering to MICHAEL BRYANT, Assistant General Counsel, in person, a true  
copy of this Summons and Complaint with Exhibits attached, having first  
endorsed upon such copy of such Summons the date of delivery.

I am not a party to or interested in the outcome of the suit referenced above.  
I am authorized by written order to serve citation and other notices. I am not  
less than eighteen (18) years of age.

Service Fee \$

ERIC STEWARD, ET AL

Plaintiff

V.

RICK PERRY, ET AL

Defendant

By: 

Jeff Keyton ID# SCH-735  
(Authorized Person)

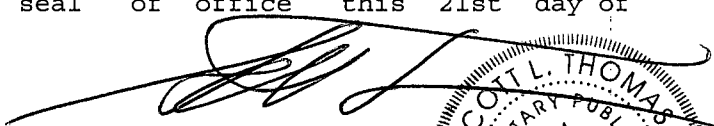
THOMAS PROCESS  
809 Rio Grande Street  
Suite 103  
Austin, Texas 78701  
(512) 320-8330

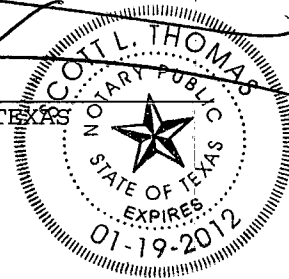
### VERIFICATION

STATE OF TEXAS §  
COUNTY OF TRAVIS §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared  
Jeff Keyton, known to me to be the person whose name  
is subscribed to the foregoing document and, being by me first duly sworn,  
declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 21st day of  
December, A.D., 2010.

  
NOTARY PUBLIC, STATE OF TEXAS



AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Texas ☒

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CJ20pm

Eric Steward, et al.

Plaintiff

v.

Rick Perry, et al.

Defendant

Civil Action No. 5:10-cv-1025

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Thomas Suehs  
Executive Commissioner  
Texas Health and Human Services Commission  
4900 North Lamar Blvd.  
Austin, Texas 78751

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Garth A. Corbett  
Advocacy Incorporated  
7800 Shoal Creek Blvd., #171-E  
Austin, TX 78757

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT William G. Putnicki

Date: 12/20/2010

*Lina Mayra*

Signature of Clerk or Deputy Clerk



AFFIDAVIT  
ATTACHED

AO 440 (Rev. 12/09) Summons in a Civil Action (Page 2)

Civil Action No. 5:10-cv-1025

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was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

**AFFIDAVIT  
ATTACHED**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

# AFFIDAVIT OF SERVICE

Came to hand on the 21st day of December, 2010, at 2:00 o'clock pm.  
Cause No. 5:10-CV-1025

Executed at 4900 North Lamar Blvd. Austin, Texas 78751  
within the County of Travis at 3:23 o'clock pm on the 21st day  
of December, 2010, by delivering to the within named:

THOMAS SUEHS, Executive Commissioner  
TEXAS HEALTH AND HUMAN SERVICES COMMISSION,  
by delivering to KAREN RAY, Special Counsel for Litigation,  
in person, a true copy of this Summons and Complaint with Exhibits attached,  
having first endorsed upon such copy of such Summons the date of delivery.

I am not a party to or interested in the outcome of the suit referenced above.  
I am authorized by written order to serve citation and other notices. I am not  
less than eighteen (18) years of age.

Service Fee \$

ERIC STEWARD, ET AL

Plaintiff

V.

RICK PERRY, ET AL

Defendant

By:

Jeff Keyton ID# SCH-735  
(Authorized Person)

THOMAS PROCESS  
809 Rio Grande Street  
Suite 103  
Austin, Texas 78701  
(512) 320-8330

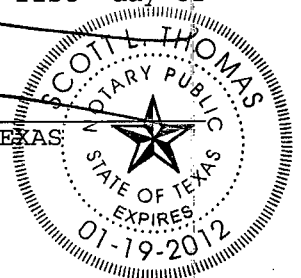
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STATE OF TEXAS §  
COUNTY OF TRAVIS §

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Jeff Keyton, known to me to be the person whose name  
is subscribed to the foregoing document and, being by me first duly sworn,  
declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 21st day of  
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NOTARY PUBLIC, STATE OF TEXAS



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UNITED STATES DISTRICT COURT

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@200 pm

Eric Steward, et al.

Plaintiff

v.

Rick Perry, et al.

Defendant

Civil Action No. 5:10-cv-1025

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Chris Traylor  
Commissioner  
Texas Department of Aging and Disability Services  
701 West 51st Street  
Austin, Texas 78751

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Garth A. Corbett

Advocacy Incorporated  
7800 Shoal Creek Blvd., #171-E  
Austin, TX 78757

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT William G. Putnicki

*Gina Omayra*

Signature of Clerk or Deputy Clerk

Date: 12/20/2010



AFFIDAVIT  
ATTACHED

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\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

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Date: \_\_\_\_\_

**AFFIDAVIT  
ATTACHED**  
Server's signature

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:



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Cause No. 5:10-CV-1025

Executed at 701 West 51st Street Austin, Texas 78751  
within the County of Travis at 3:10 o'clock pm on the 21st day  
of December, 2010, by delivering to the within named:

CHRIS TRAYLOR, Commissioner,  
TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES,  
by delivering to General Counsel, ANN SKOWRONSKI, in person, a true copy of  
this Summons and Complaint with Exhibits attached, having first endorsed upon  
such copy of such Summons the date of delivery.

I am not a party to or interested in the outcome of the suit referenced above.  
I am authorized by written order to serve citation and other notices. I am not  
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Service Fee \$

ERIC STEWARD, ET AL

Plaintiff

V.

RICK PERRY, ET AL

Defendant

By: 

Jeff Keyton ID# SCH-735  
(Authorized Person)

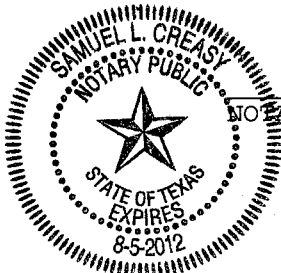
THOMAS PROCESS  
809 Rio Grande Street  
Suite 103  
Austin, Texas 78701  
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NOTARY PUBLIC, STATE OF TEXAS